GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA

UNSTARRED QUESTION NO:950
ANSWERED ON:16.07.2014
NEW REGULATIONS FOR PROFESSIONAL COURSES
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Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government is contemplating to bring new regulations for professional courses;

(b) if so, the details thereof along with the need for bringing it;

(c) the time by which it is likely to be put in place; and

(d) the roles of the All India Council for Technical Education (AICTE) and the University Grants Commission (UGC) after formulation of these regulations?

Answer

MINISTER OF HUMAN RESOURCE DEVELOPMENT (Smt. Smriti Zubin Irani)

(a) to (d): There is no such proposal to bring new regulations for professional courses at present. However, the All India Council for Technical Education(AICTE), in exercise of its powers conferred under sub- section (1) of section 23 read with Section 10 of the All India Council the Technical Education Act, 1987 (52 of 1987), has notified the following Regulations: "All India Council for Technical Education (Grant of Approvals for Technical Institutions) Regulations- 2012 vide notification no. 37-3/Legal/AICTE/2012 dated 27th September, 2012."

Based on these Regulations, the AICTE issued Approval Process Handbook 2012-13 and 2013-14 for approval of technical institutions.

The Hon'ble Supreme Court of India in the case of Bharthidasan University & anr. Vs. AICTE & ors. has held that although Universities do not require prior approval of AICTE to commence a new department or course and programmes in technical education, they have obligation or duty to conform to the standards and norms laid down by the AICTE for the purpose of ensuring coordinated and integrated development of technical education and maintenance of standards. The AICTE may cause an inspection of the University, which has to be as per the provisions under relevant rules/ regulations of the AICTE. Further, all institutions running technical education programmes in affiliation with any University requires prior approval of AICTE.

The Hon'ble Supreme Court of India vide its order dated 25.04.2013 in CA Management of Private Colleges vs. AICTE & ors., observed that the role of the AICTE must be advisory. Apropos to this observation of the Hon'ble Supreme Court, the AICTE did not issue the public notice for approval of technical institutions for the year 2014-15. Meanwhile, Hon'ble Supreme Court vide its order dated 09.05.2014 in SLP No. 7277/2014, clarified that prior approval of AICTE is compulsory and mandatory for the conduct of a Technical Course including the MBA/ Management Court by an existing affiliated Technical College and also new Technical College which will require affiliation by a University for conduct of its Technical Courses/ Programmes for the academic year 2014-15. Therefore, the AICTE issued a public notice on 10.05.2014 calling for approval of the existing as well as the new technical institutes for 2014-15 following the norms as laid down in the Approval Process Handbook for the year 2013-14.